

Remarks/Arguments

Claims 1-20 are pending in the application. By this Amendment, claims 1, 5, 11 and 15 are amended, and claims 21 and 22 are added.

Applicants wish to extend their appreciation for the courtesies extended to their representative during the interview on March 09, 2005 (hereafter, the interview). During the interview, the discussion focused on claims 1 and 11. The comments below reflect that discussion and constitute Applicants' record of the interview.

Applicants gratefully acknowledge the indication that claims 9, 10, 19 and 20 define patentable subject matter. For the following reasons, Applicants respectfully submit that claims 1-8 and 11-18 define patentable subject matter.

Item 2 of the Office Action rejects claims 1, 5, 6, 8, 11, 15, 16 and 18 under 35 U.S.C. 103(a) as unpatentable over U.S. Patent Application Publication 2001/0038218 A1 to Clare et al. (hereafter, Clare et al.) in view of U.S. Patent 4,303,755 to Yukuta et al. (hereafter, Yukuta et al.). The rejection is respectfully traversed.

The Office Action admits that Clare et al. does not disclose a fuel tank and a filler tube being one piece but indicates that Yukuta et al. discloses this feature. Applicant respectfully disagrees. Yukuta et al. appears to address a reticulated foam that is added to a fuel tank for safety purposes; no specific tank structure appears to be discussed therein. Thus, Clare et al. and Yukuta et al., taken alone or in combination, fail to disclose the indicated feature. During the interview, the Examiner indicated that another reference (U.S. Patent 6,296,027 to Bender et al.) contained this feature.

However, claims 1 and 11 are amended to recite that the complementary portion comprises, inter alia, --... a step capable of supporting an operator ...--and to recite that the hole is --located in the step--. Neither Clare et al. nor Yukuta et al., taken either individually or in combination, disclose or suggest these features. Further, neither of these references, individually or combined, disclose or suggest every feature of claims 5, 6, 8, 15, 16 and 18 as these claims depend from claims 1 and 11 and recite additional features. Finally, Bender et al. does not disclose or suggest these features. It is respectfully requested that the rejection of claims 1, 5, 6, 8, 11, 15, 16 and 18 under 35 U.S.C 103(a) over Clare et al. in view of Yukuta et

al. be withdrawn.

Item 3 of the Office Action rejections claims 2-4, 7, 12-14 and 17 under 35 U.S.C. 103(a) as unpatentable over Clare et al and Yukuta et al. as applied to claims 1 and 11, and further in view of U.S. Patent 5,673,940 to Gaisford et al. (hereafter Gaisford et al.). The rejection is respectfully traversed.

As demonstrated above, claims 1 and 11 define over Clare et al. and Yukuta et al. as neither of these references contain all of the features of these newly amended claims, particularly with respect to the counterweight. Further, Gaisford et al. cannot disclose every feature of claims 1 and 11 as Gaisford et al. does not disclose a counterweight. Thus, Clare et al., Yukuta et al. and Gaisford et al., taken either alone or in combination, do not disclose every feature of the invention as recited in claims 1 and 11 and cannot disclose or suggest every feature recited in claims 2-4, 7, 12-14 and 17 as these claims depend from claims 1 and 11 and recite additional features. It is respectfully requested that the rejection of claims 2-4, 7, 12-14 and 17 under 35 U.S.C. 103(a) as unpatentable over Clare et al and Yukuta et al. as applied to claims 1 and 11, and further in view of Gaisford et al. be withdrawn.

For at least the reasons set forth above, Applicants respectfully submit that the application defines patentable subject matter and is condition for allowance. Favorable reconsideration and prompt allowance of claims 1-22 is respectfully solicited.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, he is invited to contact Applicants' undersigned representative at the telephone number listed below.

Any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525. Two duplicates of this page are enclosed.

Respectfully,

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